IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 214 OF 2005

MR.ARMANDO CARDOZO,COLVA GOA. ....Petitioners

Versus

STATE OF GOA THROUGH ITS CHIEF SECRETARY AND ANR., ...Respondents

Mr. J.E. Coelho Pereira, Senior Advocate with Mr. S. B. Karpe, advocate for the petitioner.
Mr. S. S. Kantak, Advocate General with Ms. Leena Dharwadkar, Addl. Government Advocate for respondent no.1.

Coram:- S.S. PARKAR, J.

Date:- 20th July, 2005

p. C.

By this petition the challenge is made to the Order dated 20th May, 2005, passed by the Goa Coastal Zone Management Authority (respondent no.2), directing the petitioner to demolish his structure on the ground that it contravenes the CRZ Regulations. The main grievance made in this petition is that the impugned Order was passed without giving proper hearing and enabling the petitioner to produce the requisite documents showing that the structure is in existence since before 1991.

The grievance was also made that the petitioner was not furnished copies of the Collector's report and the panchanama, without which he could not represent his case before the authorities. The respondents are prepared to furnish to the petitioner the copies of the Collector's report as well as the panchanma made by the authorities in respect of the structure of the petitioner.

The learned Advocate General appearing for the respondents, states that the respondents are willing to consider the case of the petitioner afresh on his production of the relevant documents as desired by him.

Since the petitioner was not earlier furnished with the copies of the Collector's report and the panchanama and he did not get a proper

opportunity to produce the documents in his possession, it is desirable that the impugned Order is quashed and the petitioner is given proper opportunity to represent his case.

In the circumstances, the impugned Order dated 20th May, 2005, passed by Goa Coastal Zone Management Authority at Panaji against the petitioner is quashed and the petitioner shall appear before the Chief Secretary on 23rd July, 2005, for collecting the copies of the Collector's report and the panchanama. Thereafter the petitionr shall file his representation and furnish copies of the documents to be relied on by him within 15 days thereafter and the respondent authority shall pass the order after giving hearing to the petitioner.

The petition is disposed of accordingly.

S.S. PARKAR, J.